

Notice of Allowability

Application No.

10/523,289

Applicant(s)

WHELAN, ROBERT EDGAR

Examiner

Art Unit

DIEU HIEN T. DUONG

2821

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/06/2009.
2. ☒ The allowed claim(s) is/are 1,2 and 4-11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>05/02/2009</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>02/06/2009</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

/Trinh Vo Dinh/
Primary Examiner, Art Unit 2821

DETAILED ACTION

1. This office action is a response to applicant's amendment filed 02/06/2009. In virtue of this amendment, claims 1-11 are currently in the instant application.

Interview Summary

2. Examiner contacted applicant's representative, Daniel Dawes (Registration No. 27,123), on May 1, 2009 for discussing about a proposed amendment. Examiner suggested applicant to clarify the claimed language of claims 1, 5, 8; incorporate the subject matter of claim 3 into claim 1; and change the dependencies of claims 4, 8 and 9 from claim 3 to claim 1 in order to place the application in allowance condition. Applicant's representative agreed to authorize examiner to clarify claimed language of claims 1, 5, 8; incorporate the subject matter of claim 3 into claim 1, and change the dependencies of claims 4 and 8-9 from claim 3 to claim 1 in examiner's amendment.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel Dawes (Registration No. 27,123), on May 1, 2009.

The application has been amended as follows:

1 (Currently Amended) A dish assembly including:

a central hub;

an outer rim member, and

a plurality of concentric arcuate structural members comprising at least an inner and an outer arcuate structural members extending from the central hub to the outer rim member;

each of the arcuate structural members having an upper channel member, a lower channel member, an inner arcuate surface and an outer arcuate surface which cooperate to constitute a box section configuration, and wherein said each upper and lower channel member comprises a channel base and a pair of channel flanges; ~~being of box section configuration and~~

the inner and outer arcuate surfaces of each of the arcuate structural members are abutted such that a gravitational or wind load ~~can be~~ is transferred from ~~radially outward the outer~~ the outer arcuate structural member to ~~an the~~ an adjoining ~~more radially inward inner~~ inner arcuate structural member via a fin disposed on the inner arcuate surface of each of the arcuate structural members.

3 (canceled)

4. (Currently Amended) The dish assembly as claimed in claim ~~3~~ 1, wherein the upper and lower channel members are formed from substantially rectangular metal sheeting.

5. (Currently Amended) The dish assembly as claimed in claim 4, wherein the gauge of the metal sheeting ~~from which the arcuate structural members are made~~ of each inner arcuate structural member is greater the gauge of each outer

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~~in an arcuate structural member that is radially closer to the central hub than in an arcuate structural member that is radially further from the central hub.~~

8. (Currently Amended) The dish assembly as claimed in claim 3, wherein the said channel flanges of the upper and lower channel members have outwardly and inwardly directed returns at the respective bases thereof, such that when the upper and lower channel members cooperate to constitute the arcuate structural member of box section configuration, the returns constitute cooperating keys and recesses respectively of adjoining concentric arcuate structural members whereby said wind load ~~can be~~ is transferred from ~~an radially outward~~ the outer arcuate structural member to ~~an adjoining more radially inward~~ the adjoining inner arcuate structural member.

9. (Currently Amended) The dish assembly as claimed in claim ~~3~~ 1, and including a plurality of mirrors affixed to the bases of the upper channel members whereby the dish assembly constitutes a solar collector.

Allowable Subject Matter

4. Claims 1-11 are allowed.

5. The following is an examiner's statement of reasons for allowance:

Prior art fails to disclose or fairly suggest a dish assemble, wherein each of the arcuate structural members of dish assembly having an upper channel member, a lower channel member, an inner arcuate surface and an outer arcuate surface which cooperate to constitute a box section configuration, and wherein said each upper and lower channel member comprises a channel base and a pair of channel flanges; and

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the inner and outer arcuate surfaces of each of the arcuate structural members are abutted such that a gravitational or wind load is transferred from the outer arcuate structural member to the adjoining inner arcuate structural member via a fin disposed on the inner arcuate surface of each of the arcuate structural members, in combination with the remaining claimed limitations as in claim 1 (claims 2 and 4-11 are allowed since they are dependent on claim 1).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Inquiry

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DIEU HIEN T. DUONG whose telephone number is (571)272-8980. The examiner can normally be reached on Monday - Friday, from 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas W. Owens can be reached on 571-272-1662. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Trinh Vo Dinh/

Primary Examiner, Art Unit 2821